

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

IVAN VELEZ

2004 OCT 19 12:54
U.S. DISTRICT COURT
DISTRICT OF MASS.

Case No. 03-CR-10331 (RGS)

ASSENTED TO MOTION FOR CONTINUANCE AND EXCLUDABLE DELAY

The United States of America and defendant, Ivan Velez, respectfully request a continuance of the trial currently set for November 15, 2004 to January 2005 or at a later date convenient for the Court. As grounds for this motion, it is in the best interest of the defendant to wait for Blakely to be adjudicated by the Supreme Court. Defendant Velez is not currently in custody. Moreover, co-defendant Julio Grande, the only other defendant remaining, is also not in custody and his counsel has reasonably stated that she will not be ready for trial in mid November, as automatic discovery is not due to her until later this week.

The United States and defendant Velez further request that the Court enter an order excluding this time period from the Speedy Trial Act calculations with respect to this case.


WHEREFORE, for the foregoing reasons, the undersigned respectfully requests that the Court grant a continuance of the trial until January 2005 or at a later date convenient for the Court and exclude this period of time under the

Speedy Trial Act in this matter, in the interests of justice.

Respectfully submitted,

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Dated: 10/19/04